

## REMARKS

In the Office Action, the Examiner issued a restriction requirement under 35 U.S.C. § 121.

By this Amendment and Response to the Restriction Requirement, Applicants withdraw claims 1-6 and amend claims 7-16 to depend, either directly or indirectly, from claim 17. Claims 7-26 remain pending.

With regard to the Examiner's restriction requirement, the Examiner requires election, pursuant to 35 U.S.C. § 121, of one of the following inventions: Group I, including claims 1-6 and allegedly drawn to a clustering tree data structure, classified in class 704, subclass 242; Group II, including claims 7-16 and allegedly drawn to a clustering tree for classifying a group of sounds, classified in class 704, subclass 254; and Group III, including claims 17-26 and allegedly drawn to a speech recognition engine, classified in class 704, subclass 245. (Restriction Requirement, p. 2). The Examiner states that the inventions of Groups I, II, and III are related as combination and subcombination and are distinct from one another.

Applicants hereby elect Group III, including claims 17-26, without traverse. Additionally, Applicants submit that claims 7-16, which have been amended to depend from the claims of Group III, should also be included in Group III.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Application No. 10/685,410  
Amendment dated July 3, 2007  
Reply to Office Action of May 3, 2007

Docket No.: BBNT-P01-016

Applicants believe no fee is due with this response other than as reflected on the enclosed Amendment Transmittal. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. BBNT-P01-016 from which the undersigned is authorized to draw.

Dated: July 3, 2007

Respectfully submitted,

By 

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